

§19-135-20 Supervision of inspectors. The county agency shall exercise control over all certified moped inspectors under its jurisdiction. This supervisory function shall include, but is not limited to, the following activities:

- (1) Examining and qualifying all certified moped inspectors;
- (2) Issuing of additional forms as may be required;
- (3) Monitoring official moped inspection activities of certified moped inspectors; and
- (4) Conducting investigations of reported or suspected improper moped safety inspection activities. [Eff ~~SEP. 15 1988~~ ] (Auth: HRS §291C-202) (Imp: HRS §291C-202)

### SUBCHAPTER 3 GENERAL PROCEDURE FOR INSPECTION

§19-135-21 Application for inspection certification.

(a) Any moped owner or operator shall be allowed to make an appointment with any public moped inspection station for inspection of a moped. The appointment shall be scheduled within fifteen days after the date of application for inspection.

(b) Any moped owner or operator shall not be obliged to have any repair work performed at the station where the inspection is made. [Eff ~~SEP. 15 1988~~ ] (Auth: HRS §291C-202) (Imp: HRS §291C-202)

§19-135-22 Causes for refusal to inspect. An inspection station may refuse to inspect any moped whenever the performance of any visually inspectable component cannot readily be determined because of an accumulation of dirt, grease, or other foreign material. [Eff ~~SEP. 15 1988~~ ] (Auth: HRS §291C-202) (Imp: HRS §291C-202)

§19-135-23 Inspection fees. (a) The county council of each county shall determine the fee to be paid to the inspection station by the moped owner for the safety inspection of a moped. This fee shall include the safety sticker fee paid to the county agency by the inspection station operator.

(b) When an application for certification of moped safety inspection is made at an inspection station, a

certified moped safety inspector may first collect the inspection fee, and then conduct the inspection pursuant to this chapter, chapter 19-131, The Handbook, and using a blank certificate of inspection as the checklist.

(c) A certified moped inspector may require an additional fee for the reinspection of corrected defects when the moped is presented for certification more than ten days after failure of the applicant's moped to qualify on the initial inspection.

(d) If more than thirty days have elapsed since the applicant's moped failed to qualify for certification, a complete reinspection shall be made of the entire moped for which the certified moped inspector may require the payment of an additional fee.

(e) An inspection station may charge the safety inspection fee determined by the county council for the replacement of destroyed or stolen safety inspection stickers. [Eff SEP. 15 1986 ] (Auth: HRS §291C-202)  
(Imp: HRS §291C-202)

§19-135-24 Failure to qualify for certification and correction of defects. (a) When a moped fails to pass an inspection for certification in accordance with this chapter, chapter 19-131, and The Handbook, the certificate of inspection shall not be signed and the authorized sticker shall not be affixed to the moped.

(b) A copy of the incomplete certificate of inspection, shall be given to the applicant after the inspection, so that corrective repairs may be done on the moped. When, upon reinspection, the moped is found to be in safe operating condition, the certificate of inspection shall be completed and a sticker affixed to the moped in accordance with this chapter.

(c) If the applicant refuses to have the corrective repairs done immediately, no certificate of inspection shall be signed by the safety inspector, but a copy of the incomplete certificate of inspection shall be given to the applicant. The applicant shall have ten days to correct all the deficiencies and return to the station for reinspection.

(d) If, after corrective repair within the ten-day period, the moped is found to qualify for certification, all copies of the certificate of inspection shall be completed and signed by the safety inspector with the designated copies issued to the applicant and a sticker affixed to the moped in accordance with this chapter. No additional fee shall be charged.

(e) This section does not authorize anyone to operate a moped on the public highways without a valid certificate of inspection or with an expired certificate.

(f) If no certificate of inspection is issued, a notation to that effect shall be made on a copy of the incomplete certificate. All copies of the incomplete certificates held by the inspection station, except the station copy, shall be forwarded to the county agency. [Eff SEP 15 1988 ] (Auth: HRS §291C-202) (Imp: HRS §291C-202)

§19-135-25 Issuance of certificates of inspection and affixing of inspection stickers. (a) When the moped's equipment is inspected pursuant to this chapter, chapter 19-131, and The Handbook, and is found to qualify for certification, the certificate of inspection shall be signed by the certified moped inspector who performed the inspection.

(b) After the certificate of inspection is signed, a two-part safety inspection sticker authorized by the director shall be affixed by the safety inspector upon the rearmost nearly vertical portion of the moped or on another appropriate place where, in the opinion of the county agency, the sticker can be clearly viewed by a person who is fifty feet behind the moped.

(c) All expired or replaced safety inspection stickers appearing on the moped shall be removed and destroyed. [Eff SEP 15 1988 ] (Auth: HRS §291C-202) (Imp: HRS §291C-202)

§19-135-26 Replacement of lost or stolen stickers. (a) Safety inspection stickers which have been lost or stolen may be replaced without reinspection if the moped owner or operator can furnish proof of inspection and approval, and the loss is reported before the current certification expires.

(b) Reinspection shall be required if there is no evidence of a previous safety inspection or the safety inspection certificate has expired.

(c) The certified moped inspector shall record safety inspection sticker replacements on the original inspection station copy of the certificate of inspection and report the additional information to the county agency. [Eff SEP 15 1988 ] (Auth: HRS §291C-202) (Imp: HRS §291C-202)

§19-135-27 Items to be inspected. Evidence of the moped's registration and the following original equipment items meeting requirements on the date of manufacture of the moped, plus all additional items subsequently required or permitted to be installed, shall be inspected on all mopeds presented for inspection.

- (1) Tires;
- (2) Wheels;
- (3) Brakes;
- (4) Steering, suspension, and alignment;
- (5) Lighting and electrical systems;
- (6) Moped glazing (optional equipment);
- (7) Body and frame;
- (8) Exhaust system;
- (9) Fuel intake system; and
- (10) Speedometer-odometer. [Eff SEP. 15 1988 ]  
(Auth: HRS §291C-202) (Imp: HRS §291C-202)

§19-135-28 Scope of inspection. The inspection shall be conducted as follows:

- (1) The moped license number and identification number shall be inspected for agreement with the corresponding numbers shown on the current year's valid registration certificate. License plates or registration decals shall be inspected for condition, legibility, proper location, and security of mounting;
- (2) Tires shall be inspected for wear, damage, proper size, type, and tread configuration;
- (3) Wheels shall be inspected for damage, missing parts, excessive runout, loose wheel bearings, and security of mounting;
- (4) Service brake system and parking brake system, when applicable, shall be inspected for performance, wear and condition of friction components and mechanical linkages, leakage of hoses, tubing, pistons, reservoirs, and proper operation of the entire brake system;
- (5) The steering system shall be inspected for free movement throughout the entire travel range of the steering control, loose steering bearings, damage, wear and installation of non-slip design hand grips on handlebar;
- (6) The suspension system shall be inspected for proper mounting, free movement, looseness, damage, and condition of all suspension components;

- (7) The wheel track alignment shall be inspected for accurate alignment between front and rear wheel;
- (8) Lamps and reflectors shall be inspected for function, location, color, brightness, and damage. Headlamps shall be tested for aim and operation and operation of high beam indicator if so equipped;
- (9) Horns shall be inspected for operation and audibility;
- (10) Lighting switches shall be inspected for proper operation;
- (11) Visible electrical wiring shall be inspected for condition, location, security of fastening and insulation;
- (12) Plastic or other material used in windscreen (optional equipment) shall be inspected for type, damage, discoloration, and obstruction of operator's vision;
- (13) Body items and frame shall be inspected as follows:
  - (A) Rearview mirrors shall be inspected for location, field of view, condition, mounting, ease of adjustment, and sharp edges;
  - (B) Retracting stand shall be inspected for mounting, operation, and rearward and upward retraction if it contacts the road surface when the moped is moving in the forward direction;
  - (C) Drive chain, belt, or shaft protective coverings shall be inspected for condition, mounting, looseness, size, and any hazardous protrusions;
  - (D) Body parts shall be inspected for looseness, damage, improperly assembled parts, non-approved modifications, or replacement parts;
  - (E) Fenders shall be inspected for condition, loose mounting, size, hazardous protrusions, sharp edges, and non-approved modifications;
  - (F) Seats shall be inspected for size, loose mounting, and any sharp edges or hazardous protrusions;
  - (G) Footpegs or pedals shall be inspected for proper mounting and operational condition;
- (14) On combustion engines, the exhaust system components shall be inspected for proper

- condition, damage, mounting, leakage of gases, excessive noise, and missing required components;
- (15) On combustion engines only, all intake and fuel system units, including filler tubes, filler caps, filters, vents, and tanks, and all connecting lines, tubing, and hoses shall be inspected for proper location and connection, security, proper installation, leakage, and damage; and
  - (16) The speedometer-odometer (optional equipment) shall be inspected for proper operation while performing a road test. Indicated moped mileage shall be recorded at the time of inspection. [Eff ~~SEP. 1 5 1988~~ ] (Auth: HRS §291C-202)  
(Imp: HRS §291C-202)

§19-135-29 Standards and criteria. The standards used for moped safety inspection are as follows:


- (1) 49 CFR Parts 566, 567, and 573 to 577 as they existed on April 1, 1985;
- (2) Federal Motor Vehicle Safety Standard (FMVSS) Numbers 106, 108, 111, 119, 122, 123 and 205 (motorcycle windscreen only) as they existed on April 1, 1985;
- (3) Chapter 19-131, entitled "Required Equipment on Mopeds" as they existed on April 1, 1985; and
- (4) Periodic Moped Inspection Handbook, dated September 18, 1984, located at the end of this chapter. [Eff ~~SEP. 1 5 1988~~ ] (Auth: HRS §291C-202) (Imp: HRS §291C-202)

§19-135-30 Severability. If any portion of this chapter is held invalid for any reason, the invalidity shall not affect the validity of the remainder of this chapter. [Eff ~~SEP. 1 5 1988~~ ] (Auth: HRS §291C-202)  
(Imp: HRS §291C-202)

DEPARTMENT OF TRANSPORTATION

Chapter 19-135, Hawaii Administrative Rules, on the Summary Page dated August 20, 1986, was adopted on August 20, 1986, following a public hearing held on October 10, 1985, after public notice was given in the Honolulu Advertiser on September 13, 1985, and in the Hawaii Tribune-Herald, Garden Island News, and Maui News on September 16, 1985.


The adoption of chapter 19-135 shall take effect ten days after filing with the Office of the Lieutenant Governor.

  
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APPROVED AS TO FORM:

  
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Dated: Sept 3, 1986

Filed

REC'D. BY

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GOVERNOR'S OFFICE